

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

YUSEF E. MALIK MYRICK, *et al.*,

22-CR-175 (JLS) (MJR)

Defendants.

DECISION AND ORDER

Defendant Yusef E. Malik Myrick is charged in an indictment with various child pornography crimes, as well as cyberstalking, obstruction of justice, and witness tampering. *See* Dkt. 1. The case has been referred to United States Magistrate Judge Michael J. Roemer to hear and determine, and report and recommend on, all pre-trial proceedings under 28 U.S.C. §§ 636(b)(1)(A) and (B). *See* Dkt. 21.

On March 8, 2024, Myrick filed an omnibus motion to suppress evidence and for various other pretrial items. *See* Dkt. 63.¹ The Government responded in opposition. Dkt. 65–67. Myrick replied. Dkt. 71. Judge Roemer heard oral argument on April 24, 2024. Dkt. 74. Following oral argument, Judge Roemer scheduled an evidentiary hearing and requested that the Government file a

¹ Judge Roemer resolved Myrick's omnibus discovery demands. *See* Dkt. 132.

supplemental brief. *Id.* The Government filed its brief (Dkt. 78, 81), and Myrick responded. Dkt. 91.

Judge Roemer then held an evidentiary hearing on May 21, 2024. Dkt. 92. The parties filed post-hearing briefs. Dkt. 123–24. And they filed reply briefs. Dkt. 125–26. Judge Roemer then heard oral argument. Dkt. 129.

On May 1, 2025, Judge Roemer issued a Report, Recommendation and Order (“R&R”), recommending that this Court deny Myrick’s suppression motions. *See* Dkt. 132, at 33. Myrick objected. Dkt. 138. The Government opposed the objections. Dkt. 140. Myrick did not reply.

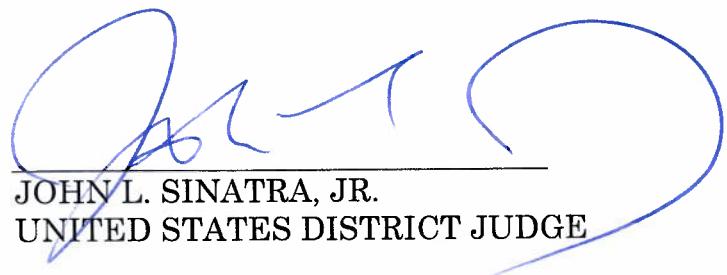
A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). A district court must conduct a *de novo* review of those portions of a magistrate judge’s recommendation to which a party objects. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). But neither 28 U.S.C. § 636 nor Federal Rule of Criminal Procedure 59 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

This Court has carefully reviewed the R&R, the objections briefing, and the relevant record. Based on that *de novo* review, the Court accepts and adopts Judge Roemer’s recommendations.

For the reasons above and in the R&R, Myrick's motions to suppress evidence, *see* Dkt. 63, are DENIED.

SO ORDERED.

Dated: June 27, 2025
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE